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TECHNICAL MEMORANDUM

Utah Coal Regulatory Program

February 8, 2012

TO: Internal File

THRU: Priscilla Burton, Lead *PWB by SAS*

FROM: Joe Helfrich, Biology *JCH*

RE: Addendum to Appendix 3-5, Alton Coal Development LLC, Coal Hollow Mine, Permit # C/025/0005, Task ID #4000

SUMMARY:

On January 23, 2012 the Division received an addendum to chapter three, appendix 3-5 of the approved MRP entitled "Greater Sage Grouse Population and Habitat Improvements Progress Report". On February 8, 2012 Division staff met with Dustin Schaible, Rhett Boswell and Bruce Bonebreak from DWR and Kirk Nicholes and Steven Petersen from ACD. Suggested changes and additions to the addendum were discussed. This memo will include a review of that information and the results of the meeting.

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TECHNICAL ANALYSIS:

OPERATION PLAN

FISH AND WILDLIFE INFORMATION

Regulatory Reference: 30 CFR Sec. 784.21, 817.97; R645-301-322, -301-333, -301-342, -301-358.

Analysis:

Protection and Enhancement Plan

Page 3, the last paragraph the permittee needs to elaborate on how the objectives will be accomplished.

Page 4, the information in table 2 needs to be mapped, analyzed and summarized with conclusions and recommendations. The table and data generated from future observations should include approximate and or actual GPS coordinates and a category for identifying the birds, (male female, juvenile).

Page 7, the reference to Carl Heaton in paragraph 4 should be figure 1.

In order to meet the goals outlined on page three of the current appendix 3-5 the permittee should revise page 13 of the addendum to appendix 3-5 to include the following information:

Habitat Restoration,

A map to appropriate scale, 1:24000 or larger, which clearly delineates the following:

The acreage of the vegetation treatment areas that have been completed within the corridor,

The acreage of the conservation area for the sage-grouse that will not be mined,

The acreage of the juniper removal area,

A summary of the acreages for these areas,

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A map to appropriate scale, 1:24000 or larger, which clearly delineates proposed vegetation treatment areas for 2012 based on the agencies', (DWR, DOGM, FWS), recommendation of 7 acres of habitat restoration for each acre of disturbance, (3045/435).

Monitoring,

A complete data set from Dr. Frey's monitoring efforts,

A plan and survey protocol for vegetation and wildlife for the current and future habitat restoration areas,

A plan, maps and survey protocol for aerial, (2 surveys, March and April 1st), and ground surveys, (lekking, brood rearing, wintering), minimum for sage grouse, presence of other wildlife species should be noted,

A detailed plan for using decoys to shift breeding activities to alternate lek sites in Sink Valley,

A copy of the invoice and receipt of payment from the Division of wildlife services for predator control for 2012 and a commitment in the revised appendix noting the time frame for future predator control and a yearly assessment of the effectiveness of the program,

A revised employee awareness program that includes participation with DWR.

Findings:

The information in the addendum is not adequate to meet the requirements of this section of the regulations. Prior to approval the following information is required in accordance with; **R645-301-322, -301-333, -301-342, -301-358,**

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RECOMMENDATIONS:

The application is not recommended for approval at this time.